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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,515	12/21/2000	Andreas Arning	STL000011US2	3164
687	7590	07/26/2004	EXAMINER	
ALBERT P. SHARPE, III FAY, SHARPE, BEALL, FAGAN, MINNICH & MCKEE 1100 SUPERIOR AVENUE, SUITE 700 CLEVELAND, OH 44114			WONG, LESLIE	
			ART UNIT	PAPER NUMBER
			2177	

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/747,515	Applicant(s) ARNING ET AL. 	
	Examiner Leslie Wong	Art Unit 2177	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 01 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the _____ application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 55-87.

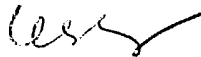
Claim(s) withdrawn from consideration: None.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


ALFORD KINDRED
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: the combination of Chen and Agrawal[1] would have arrived at Applicants' invention. Applicants argue that Chen does not teach, suggest, or fairly disclose using identified features in any way connected with creating an index for a subject multi-dimensional database. Rather, the identified feature are used only to classify a database and that the feature identification phase are not usable to create an index for a subject multi-dimensional database. In response to the preceding arguments, Examiner submits that Chen provides a computer-implemented system for database mining wherein the operations of multi-feature (i.e., multi-attributes) extraction and development of classification rules from a large training database(col. 2, lines 24-31). It should be apparent to the Applicants that in a database system, records are indexed to enable access in a quick and efficient manner, particularly in data mining field with large databases. Inherently, based on the above passages, Chen teaches the database with an index system. Chen does not explicitly teach creating an index for the subject multi-dimensional database using the identified number of features. Agrawal, however, compliments that feature by teaching a high dimensional indexing by taking N-dimensional data vectors and builds an index of k-dimensional points (col. 4, lines 6-30). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to create an index for the subject multi-dimensional database using the identified number of features in order to accurately retrieve desired information quickly and effectively.

Further, Applicants argue Chen and Agrawal are not combinable in the manner suggested by the Examiner. In response to the preceding argument, Examiner respectfully submits that Chen teaches a data mining system with multi-feature extraction and which efficiently develops classification rules from a large training database (abstract and col. 2, lines 25-31). Agrawal teaches a high dimensionality indexing in a multi-media database. The prior art takes a set of objects that can be viewed as N-dimensional data vectors and builds an index which treats the objects like k-dimensional points. The method first defines and applies a set of feature extraction functions that admit some similarity measure for each of the stored objects in the database. Both prior arts teach multi-dimensional databases and feature identifications and extractions for large databases. The prior arts teach relevant subject matters and they are in the same field of endeavor (abstract, col. 1, lines 44-56; col. 4, lines 6-30). Particularly, Agrawal teaches creating multi-dimensional indexing using the identified N-dimensional data vectors (i.e., identified number of features) which compliments the missing feature from Chen. Examiner submits that the combination of prior arts are proper and that combining Chen and Agrawal would have arrived at the Applicants' invention.



Leslie Wong
Patent Examiner
Art Unit 2177